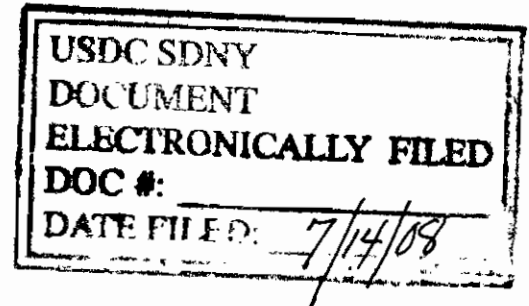


Jose O. Davila 05-A-1194
Elmira Correctional Facility
P.O. Box 500
Elmira, New York 14902

JUL 01 2008

June 20th 2008

MEMO ENDORSED



Honorable Douglas F. Eaton,
United States Magistrate Judge
United States District Court
U. S. Courthouse, Room 1360
500 Pearl Street
New York, New York 10007-1312

Re.: Jose o. Davila v Mark Bradt
08-Civ. 3227 (DAB) (DFE)

Honorable Douglas F. Eaton:

I am filing this letter as ordered by this most honorable court, as to the answer that respondent(s), Mr. Lawrence Cunningham (LC 1693) Assistant District Attorney, Bronx County.

I received the answer on June 16th 2008, at which time I have placed a call-out to the law library so that I can obtain "Special Access to the Law Library," so that I may be able to obtain assistance from an inmate law clerk so that I may be able to submit my Traverse and Memorandum of Law.

Honorable Sir, I am also requesting for this most honorable court to allow me an extension of time to prepare the response to the Respondent's Opposition to my Application for a Writ of Habeas Corpus. The reason for such request being that I am program In the Mass-Hall and the days off are Friday and Saturday.

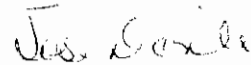
My request is for 120 days from the ending of the thirty days deadline that this most honorable court has ordered which is July 29th 2008. Petitioner prays that such request be granted in all respect, and for such other and further relief as this Honorable Court deems just and proper.

7/11/08 - I deny the request for 120 days, but I grant a shorter extension -- Mr. Davila must serve and file any Traverse or Memorandum of Law no later than September 8, 2008.

Douglas F. Eaton

USDC SDNY
DATE SCANNED *7/14/08*

Honorable Douglas F. Eaton,
United States Magistrate Judge
Re.: Jose o. Davila v Mark Bradt
08-Civ. 3227 (DAB) (DFE)
June 20th 2008
Page, 2:



Respectfully yours,

Jose O. Davila 05-A-1194
Elmira C. F.
P.O. Box 500
Elmira, New York 14902

cc: Appeals Bureau
District Attorney, Bronx County
198 East 161st Street
Bronx, New York 10451

Federal Habeas Corpus Unit
Attorney General, State of New York
120 Broadway
New York, New York 10271

Hon. Deborah A. Batts,
United States District Judge
United States District Court
United States Courthouse
500 Pearl Street
New York, New York 10007-1312